

4.9 PUBLIC SERVICES

This section discusses the potential effects of the alternatives discussed in **Section 2.0** on the following public services: local water supply; wastewater; solid waste; electricity, natural gas and telecommunications; and public health and safety services. The potential effects on groundwater supply in the region are discussed in **Section 4.3**.

4.9.1 ALTERNATIVE A – PROPOSED CASINO AND HOTEL

WATER SUPPLY

The City of Kenosha, which owns and operates the Kenosha Water Utility, would supply water to the casino, hotel, and associated facilities under Alternative A. Through the IGA (**Appendix B**), the City of Kenosha has agreed to provide water services to the Proposed Project and the Tribe has agreed to pay the usual fees for water service and improvement costs necessary to service the Proposed Project (Section 1A, 1J). A Water and Wastewater Feasibility Study by Graef, Anhalt, Schloemer, & Assoc. has been completed to assess the water and wastewater service needs of the Proposed Project (**Appendix A**).

Table 4.9-1 shows the water demand for Alternative A. For Phase I, average daily demand including landscape irrigation and make-up water for the mechanical system would be approximately 755,160 gallons per day (gpd). The recommended water supply to provide for peak conditions is 786,180 gpd. For Phase II, average daily demand including landscape irrigation and make-up water for the mechanical system would be approximately 904,252 gpd. The recommended water supply to provide for peak conditions is 993,481 gpd. For Phase II, the peak day demands are equivalent to 1,470 gallons per minute (gpm). With an emergency fire flow of 3,500 gpm for 2 hours, the existing facilities flow of 167 gpm, and the minimum supply capacity flow of 1,500 gpm, the recommended water supply is 5,167 gpm.

For Alternative A, it is recommended that the facility add a 16-inch diameter connection to the City of Kenosha's 24-inch water main on 60th St., in addition to the existing 12-inch connections on the project site. The system on the project site would be private and include additional mains to ensure adequate pressure and flow for peak demands.

Proposed improvements to the City of Kenosha's water system include a 1 MG water tank and 24-inch water main near Interstate 94, between 60th Street and 70th Street, and a 4 MG reservoir and booster station near 56th Pl. and 88th Ave. These improvements would establish a new pressure zone and better flows to the project site. The Kenosha water facilities include a 21.7 million gallon per day (MGD) Microfiltration Plant and a 20 MGD Rapid-Sand Filtration Plant which give the system a combined capacity of 41.7 MGD. The peak demand, 993,481 gpd used

TABLE 4.9-1
ESTIMATED WATER DEMAND – ALTERNATIVE A

Criteria	Gallons Per Day (gpd)	
	Phase I	Phase II
Average daily water demand	136,160	285,252
Peak water demand	167,180	374,481
Landscape irrigation	187,000	187,000
Mechanical System Make-up Demand	432,000	432,000
Recommended water supply *	786,180	993,481

NOTES: * Recommended water supply is calculated using peak demand plus landscape irrigation and mechanical system make-up demand.
Assumes water demand is equivalent to average and peak wastewater flows
Assumes irrigation is one-inch per week on a 48.2 acre lawn.

SOURCE: Graef, Anhalt, Schloemer, & Assoc., 2004.

by Alternative A, would represent 2.4 percent of the City of Kenosha's water treatment system capacity. This is an insignificant amount. No significant effects to the water supply distribution facilities would occur as a result of Alternative A after the recommended improvements are built.

WASTEWATER

The Kenosha Water Utility would supply wastewater service to the casino, hotel, and associated facilities under Alternative A. Through the IGA the City of Kenosha has agreed to provide wastewater services to the Proposed Project and the Tribe has agreed to pay the usual fees for wastewater service and improvement costs necessary to service the Proposed Project (Section 1A, 1J).

Table 4.9-2 shows the estimated average and peak day flows of Alternative A. Phase I would have an estimated average daily flow of 136,160 gpd and an estimated peak day flow of 167,180 gpd. Phase II would have an estimated average day flow of 285,252 gpd and an estimated peak day flow of 374,481 gpd. The peak day flow assumes that the facilities are operating at maximum capacity. Alternative A, including existing facilities would have an average daily flow of 309,252 gpd and an estimated peak day flow of 454,481 gpd.

The Proposed Project would require the addition of the following elements to the current wastewater system: a new, private lift station with generator and holding tanks; gravity sewers throughout the project site, a 10-inch force main, three variable speed pumps and off-site improvements. The new lift station would collect wastewater for the entire property. The proposed system has been designed to handle the estimated peak flow of 454,481 gpd, or assuming an 8-hour demand, 947 gallons per minute (gpm). An 8-inch gravity sewer would collect wastewater at the existing facilities and connect to a 15-inch gravity sewer which runs west towards the proposed lift station. Wastewater at the casino, hotel, and water park would be

collected by 10-inch gravity sewers. The gravity sewers would eventually become part of the 18-inch gravity sewer which connects to the proposed lift station. Wastewater would be discharged through a 10-inch force main with a capacity at 5 ft/sec or 1220 gpm, which could handle the peak flow of 947 gpm.

TABLE 4.9-2
ESTIMATED WASTEWATER FLOWS – ALTERNATIVE A

Criteria	Gallons Per Day (gpd)			
	Phase I	Phase II	Existing Facilities	Total
Average daily flow	136,160	285,252	24,000	309,252
Estimated peak flow	167,180	374,481	80,000	454,481

SOURCE: Graef, Anhalt, Schloemer & Assoc., 2004.

At the estimated peak flow the total dynamic head that needs to be produced is 87 ft. Two pumps that each can produce 465-gpm at 87 ft of head would operate with a third on standby. The system would also include a generator for emergency power and two holding tanks for at least one hour of peak flow storage.

Wastewater would flow off-site into the 21-inch gravity sewer along 60th Street which has 50 percent remaining capacity or 2,100 gpm. At the corner of 88th and 52nd this becomes a 24-inch gravity sewer with 50 percent remaining capacity or 3,000 gpm. These gravity sewers have the capacity for the peak flow of Alternative A or 947 gpm. The service continues approximately 7000 ft to the lift station near 70th Ave. and 51st Street. The lift station has a capacity at 5 ft/sec of 812 gpm. This is not enough capacity to serve the Proposed Project's peak flows and existing service for the area. The City of Kenosha has planned improvements to handle larger system flows (Graef, Anhalt, Schloemer, & Assoc., 2004). The City's average wastewater discharge is 26 MGD and the capacity of the treatment plant is 68 MGD (Gloss, pers. comm., 2005). Peak levels of wastewater from Alternative A if added to the treatment facility would represent less than 1 percent of wastewater treatment capacity, which is a negligible amount. No significant effects to the wastewater collection and treatment facilities would occur as a result of Alternative A after the recommended improvements are built.

SOLID WASTE

Construction Waste

The construction of the casino, hotel, and associated facilities under Alternative A would result in a temporary increase in waste generation. Potential solid waste streams from construction are expected to include the following:

- Debris such as concrete, wood posts, and fiberglass from the demolition of existing structures at the project site;
- Paper, wood, glass, and plastics from packing materials, waste lumber, insulation, and empty non-hazardous chemical containers;
- Excess concrete from construction practices; and
- Excess metal, including steel from welding/cutting operations, packing materials, and empty non-hazardous chemical containers, and aluminum from packing materials and electrical wiring.

Waste that cannot be recycled would be disposed of at the Pheasant Run Recycling and Disposal Facility (RDF) in Bristol, Wisconsin, which accepts construction/demolition materials (Furlong, pers. comm., 2005). This impact would be temporary and not significant. Mitigation measures in **Section 5** would further reduce the amount of construction/demolition materials disposed of at the landfill.

Operational Waste

It is anticipated that solid waste collection services currently provided in the project area by Waste Management, Inc. would be used under Alternative A. All waste is collected and brought to a transfer facility; from here it is transported to Pheasant Run RDF. Recyclables are presorted in accordance with Kenosha city recycling ordinances. Based on the generation rates of similar gaming facilities it is estimated that Alternative A would generate approximately 16 tons per day (**Table 4.9-3**). These calculations are based on the number of employees. The solid waste from Alternative A would represent a negligible amount or 0.4% of the Pheasant Run RDF's daily intake. The landfill currently receives 4,000-5,000 tons/day (Furlong, pers. comm., 2005). To reduce the volume of trash even further, a streamline compactor would be used to reduce the volume of the trash.

Waste generated under Alternative A would be handled appropriately through disposal at the above-described facilities. Landscaping and maintenance staff would pick up any trash that is left on the property. Decorative receptacles for trash and recycling would be placed strategically throughout the casino, hotel, and associated facilities to encourage people not to litter. The presence of roving security guards should also help prevent littering. Alternative A would not result in a significant amount of solid waste. Solid waste would be further reduced by the mitigation measures described in **Section 5**.

TABLE 4.9-3
ESTIMATED SOLID WASTE DISPOSAL – ALTERNATIVE A

Employment Category	Estimated Number of Jobs	Rate (Tons/employee/year)	Tons per year	Tons per day
Gaming	1044	0.9	939.6	2.57
Hotel	171	2.1	359.1	0.98
Food and Beverage	573	3.1	1776.3	4.87
Entertainment	55	1.7	93.5	0.26
Gift Shop/Retail	13	1.7	22.1	0.06
Administrative	91	1.7	154.7	0.42
Marketing	151	1.7	256.7	0.70
Maintenance	537	1.7	912.9	2.50
Human Resources	40	1.7	68.0	0.19
Casino Finance	235	1.7	399.5	1.09
Third-Party Leased	427	1.7	725.9	1.99
Total			5708.3	15.64

SOURCE: AES, 2005

ELECTRICITY, NATURAL GAS, AND TELECOMMUNICATIONS

Construction on the project site could damage underground utilities leading to fines and/or serious injury. This impact is potentially significant but with mitigation measures identified in **Section 5** would be less than significant.

Alternative A would be served through a high voltage feed from Wisconsin Electric. Electricity would then be transferred and divided by private transformers on site. Electrical usage for Alternative A including future developments is shown in **Table 4.9-4**. The total combined electricity usage would be approximately 12.5 megawatts.

TABLE 4.9-4
ESTIMATED ELECTRICITY USAGE - ALTERNATIVE A

	Interim Clubhouse	Phase I	Phase II	Future Hotel & Water Park	Total
On-Peak (KW-Hr)	350,047	1,130,074	620,163	655,994	2,756,278
Off-Peak (KW-Hr)	588,300	1,899,235	1,042,263	1,102,483	4,632,280
Megawatt Demand	1.59	5.13	2.81	2.98	12.5

SOURCE: Breunig., pers. comm., 2005

Emergency generators would be provided under Alternative A. Generators would be used only under emergency conditions. The peak regional generating capability of Wisconsin Electric is

6,000 megawatts (We Energies, 2005). Energy usage for Alternative A represents 0.2% of the peak capability, an insignificant amount. Wisconsin Electric has confirmed that it has the capability to serve the project site (Ballard, pers. comm., 2005). Alternative A would not constitute a significant impact to electricity providers.

Wherever energy consumption is discussed, energy conservation must also be considered. There is the potential for needless expenditures of energy to occur throughout the project site, in the form of inefficiencies or the continued use of worn or expired electrical or gas-reliant equipment. Since certain controls on energy wastes are *de facto* inclusions in the Tribe's obligations to the State, the City and the County (i.e. building codes and payments for services), impacts related to conservation would be less than significant. Please see **Section 5.0** for recommended mitigation and management practices related to energy conservation.

AT&T and SBC currently provide telephone service to the property. No impacts to telephone services would occur.

PUBLIC HEALTH AND SAFETY

The Tribe has agreed to follow state public health and safety standards for public buildings, electrical wiring, fire prevention, plumbing and sanitation including annual inspections. Please see **Section 2.0** for a discussion on the IGA. The Tribe has adopted public health and safety ordinances that are substantially similar to those of the local jurisdictions (Exhibit C of the IGA). These include Chapter 4 (Health) of the City of Kenosha's Code of General Ordinances and Chapter 16 (Environmental Health/Food) of the Kenosha County Ordinances.

Law Enforcement

The Final Report from the National Gambling Impact Study Commission (NGISC) states that regarding the link between gambling and crime that "insufficient data exists to quantify or define that relationship" (NGISC, 2000). The National Opinion Research Center's report prepared for NGISC finds that in communities close to one or more casinos the link between gambling and crime is inconclusive for the crimes measured "which reflect the public safety and security of persons and real property" (NORC, 1999). These two national studies conclude that there is not a correlation between gambling and crime. However, operations of the gaming facility and the increased population in the area, due to the presence of patrons at the proposed action, may increase demands to local law enforcement authorities.

The NGISC made numerous recommendations including the following two made specifically with regard to the potential effects of Indian gambling:

- 6.8 The Commission recommends that all relevant governmental gambling regulatory agencies should take the rapid growth of commercial gambling, state lotteries, charitable

gambling, and Indian gambling into account as they formulate policies, laws, and regulations pertaining to legalized gambling in their jurisdictions. Further, the Commission recommends that all relevant governmental gambling regulatory agencies should recognize the long overdue economic development Indian gambling can generate (NGISC, 1999).

6.11 The Commission recommends that gambling tribes, states, and local governments should recognize the mutual benefits that may flow to communities from Indian gambling. Further, the Commission recommends that tribes should enter into reciprocal agreements with state and local governments to mitigate the negative effects of activities that may occur in other communities and to balance the rights of tribal, state and local governments, tribal members, and other citizens (NGISC, 1999).

To address the potential of an increased need for police, prosecution, and court/jail services resulting from the development of Alternative A, the Tribe has committed to reimburse the City of Kenosha for increased police service on and around the property. Under the IGA the Tribe would pay 3% of Net Win to the City for the first 8 years, and 4 percent thereafter (**Appendix B**). The minimum amount for the first six years is \$1,000,000 and 2,000,000 thereafter. A portion of these funds is expected to pay for three additional officers, one additional police vehicle, and three new emergency dispatcher positions (City of Kenosha, 2005).

Under Public Law 280, the State of Wisconsin and other local law enforcement agencies have enforcement authority over criminal activities on Tribal land. The Tribe has recognized and acknowledged the authority of the City and the County in such matters in Section 2 of the IGA. Increased demands on law enforcement are potentially significant but with the mitigation measures identified in **Section 5** would be less-than-significant.

Fire Protection/Emergency Medical Service

Construction Effects

Construction may introduce potential sources of fire to the property. During construction, equipment and vehicles may come in contact with wildland areas and accidentally spark and ignite vegetation. Equipment used during grading and construction activities may also create sparks which could ignite dry grass on the property. This risk, which is similar to those that are found at other construction sites, is considered potentially significant. Mitigation measures described in **Section 5** would reduce this risk to a less-than-significant level.

Operation Effects

Development of commercial facilities on the property would create additional risks of safety hazards from fires and add to firefighting responsibilities in the area. Vegetation in and around the developed areas would be irrigated, thereby minimizing the risk of fire. Additionally, the

timely detection of fires by individuals working in the casino, hotel, and associated facilities, early intervention, and firebreaks created by driveways and roads would reduce the size and duration of fires.

The casino, hotel, and associated facilities would be fitted with automatic fire sprinkler systems. The facilities would be constructed to meet adequate fire flow requirements. A fire service connection dedicated to fire suppression onsite and rated for 3,500 gpm for two hours would be provided.

To address the potential of an increased need for fire protection and emergency medical services resulting from the development of Alternative A, the Tribe has committed to reimburse the City of Kenosha for increased fire and emergency services on and around the property. Under the IGA the Tribe would pay 3 percent of Net Win to the City for the first 8 years, and 4 percent thereafter (**Appendix B**). The minimum amount for the first six years is \$1,000,000 and \$2,000,000 thereafter. In addition, the City of Kenosha has agreed in Section 2 of the IGA to provide reasonable staffing levels in the City Fire Department. A portion of these funds is expected to pay for six additional employees and three emergency dispatchers (City of Kenosha, 2005). The Fire Department does not anticipate a large change to service due to the Proposed Project (Santelli, pers. comm., 2005). Increased demands on fire and emergency services are potentially significant but with mitigation measures identified in **Section 5** would be less than significant.

4.9.2 ALTERNATIVE B – REDUCED INTENSITY ALTERNATIVE

WATER SUPPLY

As with Alternative A, the Kenosha Water Utility would supply water to the Alternative B facilities. The Tribe and the City of Kenosha would provide for an agreement similar to the IGA in Alternative A with reduced dollar amounts where the City would provide services in return for compensation. Under this agreement the Tribe would also pay usual and customary fees for service. Under this alternative the existing DGP water system would be adequate to continue serving the clubhouse and associated facilities. No upgrades would be needed. No impacts would occur.

WASTEWATER

As with water, the Alternative B facilities would continue to utilize existing Kenosha Water Utility connections for wastewater service. The Tribe and City of Kenosha would provide for an agreement similar to the IGA, where wastewater service would be provided for the usual compensation. No upgrades would be needed and no impacts would occur.

SOLID WASTE***Construction Waste***

The addition of casino facilities in the clubhouse under Alternative B would result in a minor, temporary increase in waste generation, described in more detail under Alternative A. Waste that cannot be recycled would be disposed of at the Pheasant Run Recycling and Disposal Facility (RDF) in Bristol, Wisconsin which accepts construction/demolition materials (Furlong, pers. comm., 2005). This solid waste volume would be negligible and no significant impact would occur.

Operational Waste

All waste is collected and brought to a transfer facility; from here it is transported to Pheasant Run RDF. More information on the Pheasant Run RDF is provided under Alternative A. Operation of the Alternative B facilities would generate more solid waste than the existing DGP; however, the quantity of additional solid waste would be negligible when compared to the available landfill capacity. It is estimated that solid waste would represent less than 0.4 percent of the landfill's daily intake, using a conservative estimate of 16 tons per day. No significant impact would occur. Solid waste would be further reduced by the mitigation measures described in **Section 5**.

ELECTRICITY, NATURAL GAS, AND TELECOMMUNICATIONS

The construction of facilities in Alternative B would not involve underground construction and thus would not impact underground utilities.

Electricity at Alternative B would be served through the existing lines at the project site. Electrical usage for Alternative B was estimated by Graef, Anhalt, Schloemer, & Associates (Breunig, pers. comm., 2005). The maximum load during some fifteen minute interval is expected to be 1.59 megawatts. The average electrical demand would be lower. An emergency generator would be provided under Alternative B. Generators would be used only under emergency conditions. The peak regional generating capability of Wisconsin Electric is 6,000 megawatts (We Energies, 2005). Energy usage for Alternative B represents .02% of peak capabilities, an insignificant amount. Wisconsin Electric has confirmed that it has the capability to serve the project site (Ballard, pers. comm., 2005). Alternative B would not constitute a significant impact to electricity providers.

AT&T and SBC currently provide telephone service to the property. No impact to these service providers would occur as a result of Alternative B.

PUBLIC HEALTH AND SAFETY***Law Enforcement***

National studies have not found a statistically significant connection between casino gambling and crime; for more information the NORC and NGISC studies are discussed under Alternative A. Nevertheless, Alternative B could cause increased demands on law enforcement due to the presence of increased numbers of patrons at the project site. Impacts to law enforcement would be significant and mitigation is provided in **Section 5**.

Fire Protection / Emergency Medical Service

As with Alternative A, Alternative B could cause increased demands on fire protection and emergency medical services due to increased numbers of patrons at the project site. A significant impact to fire protection and emergency medical services would occur, and mitigation is provided in **Section 5**.

4.9.3 ALTERNATIVE C – KESHENA SITE ALTERNATIVE***WATER SUPPLY***

The Menominee Tribal Utility Department (MTUD) would provide potable water to Alternative C. Under Tribal Ordinance No. 96-28, MTUD manages utilities for the Menominee Reservation. The water source for this area is currently provided by one underground well. Expansion of the current gaming and hotel facilities would increase water demand beyond what is currently used at the Menominee Casino and Hotel. MTUD is expanding water service in the next two years to the college on the Menominee Reservation where they will add a 250,000 gallon water tower. This upgrade will increase flow capacity from 300 to 450 gpm. The current system has the capacity to serve the Keshena site if facilities were expanded (Corn, pers. comm., 2005). The impacts to local water supply in Keshena would be less than significant.

WASTEWATER

MTUD would provide wastewater service to Alternative C. Existing wastewater treatment facilities have the capacity to handle 450,000 gpd. Average wastewater flows now range from 125,000 gpd in the winter to 160,000 gpd in the summer, including wastewater flows from the Menominee Hotel and Casino. Alternative C would not cause an exceedance of available capacity because there is 64% capacity remaining, and MTUD has confirmed that current facilities have the capacity to serve the Keshena site if casino facilities were expanded (Corn, pers. comm., 2005). The impacts to wastewater services in Keshena would be less than significant.

SOLID WASTE

Construction Waste

Alternative C would result in a temporary increase in waste generation. Potential solid waste streams from construction are expected to include the following:

- Debris such as concrete, wood posts, and fiberglass from the demolition of existing structures at the project site;
- Paper, wood, glass, and plastics from packing materials, waste lumber, insulation, and empty non-hazardous chemical containers;
- Excess concrete from construction practices; and
- Excess metal, including steel from welding/cutting operations, packing materials, and empty non-hazardous chemical containers, and aluminum from packing materials and electrical wiring.

Waste that cannot be recycled would be disposed of at the Menominee Landfill in Menominee, Michigan, which accepts construction/demolition materials. This impact would be temporary and not significant. Mitigation measures in **Section 5** would further reduce the amount of construction/demolition materials disposed of at the landfill.

Operational Waste

It is anticipated that solid waste collection services currently provided in the project area by Waste Management of Antigo would be used under Alternative C. All waste is collected and transported to a transfer facility and then is brought to the Menominee Landfill in Menominee, Michigan. Recyclables are presorted in accordance with Kenosha city recycling ordinances and processed in Antigo. The Menominee Landfill receives approximately 900 tons per day and receives 250,000–300,000 tons per year (Beaudo, pers. comm., 2005).

The size of the facilities proposed in Alternative C is less than half of that proposed in Alternative A, thus half the estimate of 16 tons generated per day by Alternative A would serve as a conservative estimate for Alternative C. Using 8 tons per day as a conservative estimate, Alternative C would represent less than 1% of the landfill's total daily waste. To reduce the volume of trash even further, a streamline compactor would be used to reduce the volume of the trash. This represents an insignificant impact. Solid waste would be further reduced by the mitigation measures described in **Section 5**.

ELECTRICITY, NATURAL GAS, AND TELECOMMUNICATIONS

Construction on the project site could damage underground utilities leading to fines and/or serious injury. This impact is potentially significant but with mitigation measures identified in **Section 5** would be less than significant.

Alliant Energy which currently serves Keshena would provide electrical services. The 12-kilovolt lines bordering the site would serve Alternative C. The existing Menominee Casino and Hotel uses propane for heating and there are gas lines ¼ mile from the project if needed.

Emergency generators would be provided to ensure full capacity under Alternative C in the event of loss of service from the grid. Generators would be used only under emergency conditions. Alliant Energy had a maximum peak hour demand in 2003 of 5,887 megawatts (Alliant Energy, 2005). While expansion of existing facilities on the Keshena site would use additional energy, Alliant Energy has the capacity to serve the project if expanded (Bertram, pers. comm., 2005).

Pioneer Communications currently provides telephone service to the property and Dish Network provides television service. Consultation with telecommunications providers during construction of Alternative C is recommended in order to discuss the types of service desired.

Implementation of Alternative C is expected to result in a less-than-significant effect to electricity, natural gas, and telecommunications services and demand. Mitigation measures have been identified in **Section 5** to further reduce the energy demand of Alternative C.

PUBLIC HEALTH AND SAFETY***Law Enforcement***

National studies have not found a statistically significant connection between casino gambling and crime; the NORC and NGISC studies are discussed under Alternative A. Nevertheless, Alternative C could cause increased demands on law enforcement due to the presence of increased numbers of patrons at the project site.

Alternative C would employ security personnel and law enforcement services would be provided by the Menominee Tribal Police Department (MTPD) and the Menominee County Sheriff's Department. The Menominee Reservation was exempted from PL 280 at the time of Termination. The Federal government has retained criminal jurisdiction on the Menominee Reservation. As such, the MTPD retains exclusive criminal jurisdiction on the site of Alternative C, pursuant to 25 CFR, Chapter 18 of the United States Code (USC), Chapter 40, Indian Affairs Manual (I.A.M.), and other Federal and Tribal laws. Impacts to law enforcement would be significant and mitigation is provided in **Section 5**.

Fire Protection/Emergency Medical Service

Construction Effects

Construction may introduce potential sources of fire to the property. During construction, equipment and vehicles may come in contact with wildland areas and accidentally spark and ignite vegetation. Equipment used during grading and construction activities may also create sparks which could ignite dry grass on the property. This risk, which is similar to those that are found in Alternatives A and B, is considered potentially significant. Mitigation measures described in **Section 5** would reduce this risk to a less-than-significant level.

Operation Effects

Development of expanded facilities on the property could create additional risk of fire and add to firefighting responsibilities in the area. However, vegetation in and around the developed areas would be irrigated, thereby minimizing the risk of fire. Additionally, the timely detection of fires by individuals working in the casino and hotel, and early intervention, and firebreaks created by driveways and roads can reduce the size and duration of fires. Alternative C would be fitted with automatic fire sprinkler systems. The facilities would be constructed to meet adequate fire flow requirements.

The Town of Menominee currently provides fire protection for the Menominee Casino. The Menominee Tribe annually enters into fire protection agreements with the Town of Menominee, in which the Tribe provides approximately 50% of the fire services budget. If the proposed casino were expanded above one story the fire department would need a ladder truck and additional firefighters. If the casino remains a one-story structure, the additional resources would not be needed (DuQuain, pers. comm., 2005). Increased demands on fire and emergency services are potentially significant and mitigation is provided in **Section 5**.

4.9.4 ALTERNATIVE D – HOTEL-CONFERENCE CENTER AND RECREATIONAL DEVELOPMENT

WATER SUPPLY

As with Alternative A, the Kenosha Water Utility would supply water to the Alternative D facilities. The Tribe and the City of Kenosha would provide for an agreement similar to the IGA in Alternative A with reduced dollar amounts where the City would provide services in return for compensation. Under this agreement the Tribe would also pay usual and customary fees for service.

Upgrades to the water system would be similar to those proposed under Alternative A, which are listed in **Section 4.9.1**. On the project site this would include changes to the private water system including additional pipelines and a new connection to the city system. The city has proposed off-site improvements including additional water distribution lines, improvements to service, and

water storage to service areas in western Kenosha (Graef, Anhalt, Schloemer, & Assoc., 2004). City facilities have a capacity of 41.7 MGD which is adequate to serve Alternative D. Alternative D, it is estimated, based on the similar size and footprint to Alternative A, would use less than 2.4% of the water supply. No significant effects to the water supply facilities would occur as a result of Alternative D.

WASTEWATER

As with water, wastewater service for the Alternative D facilities would be provided by the Kenosha Water Utility. The Tribe and City of Kenosha would provide for an agreement similar to the IGA, where wastewater service would be provided for the usual compensation.

Upgrades to the wastewater system would be similar to those proposed under Alternative A, which are listed in **Section 4.9.1**. On the project site this would include lift station, holding tanks, new gravity sewers, a new force main, and speed pumps. The city has proposed off-site improvements to handle larger flows in the area (Graef, Anhalt, Schloemer, & Assoc., 2004). City facilities have a capacity to treat 68 MGD and currently treats 26 MGD which is adequate to serve Alternative D. Alternative D, it is estimated, based on the similar size and footprint to Alternative A, would use less than 1.7% of wastewater treatment capacity. No significant effects to wastewater service would occur as a result of Alternative D after the recommended improvements to the city system are built.

SOLID WASTE

Construction Waste

Alternative D would result in a temporary increase in waste generation. Waste that cannot be recycled would be disposed of at the Pheasant Run Recycling and Disposal Facility (RDF) in Bristol, Wisconsin which accepts construction/demolition materials (Furlong, pers. comm., 2005). The impact is temporary and not significant. Mitigation measures in **Section 5** would further reduce the amount of construction/demolition materials disposed of at the landfill.

Operational Waste

All waste is collected and brought to a transfer facility; from here it is transported to Pheasant Run RDF. More information on the Pheasant Run RDF is provided under Alternative A. Alternative D, it is estimated, based on the similar size and footprint to Alternative A, would represent 0.4% of the landfill's daily intake, using an estimate of 16 tons per day. No significant impact would occur. Solid waste would be further reduced by the mitigation measures described in **Section 5**.

ELECTRICITY, NATURAL GAS, AND TELECOMMUNICATIONS

Construction on the project site could damage underground utilities leading to fines and/or serious injury. This impact is potentially significant but with mitigation measures identified in **Section 5** would be less than significant.

Impacts to electricity would be less than significant. For a more detailed discussion see Alternative A which represents a conservative energy estimate for Alternative D.

AT&T and SBC currently provide telephone service to the property. No impact to these service providers would occur as a result of Alternative D.

PUBLIC HEALTH AND SAFETY

Law Enforcement

National studies have not found a statistically significant connection between casino gambling and crime; for more information the NORC and NGISC studies are discussed under Alternative A. Nevertheless, Alternative D could cause increased demands on law enforcement due to the presence of increased numbers of patrons at the project site. Impacts to law enforcement would be significant and mitigation is provided in **Section 5**.

Fire Protection/Emergency Medical Service

As with Alternative A, Alternative D could cause increased demands on fire protection and emergency medical services due to increased numbers of patrons at the project site. A significant impact to fire protection and emergency medical services would occur, and mitigation is provided in **Section 5**.

4.9.5 ALTERNATIVE E – NO ACTION

WATER SUPPLY

Water demand would continue as is at both facilities under Alternative E. As a result, Alternative E would not have an effect on water supply.

WASTEWATER

Wastewater treatment and discharge operations would continue at their current level of service under Alternative E. As a result, Alternative E would not have an effect on wastewater service.

SOLID WASTE

Current solid waste generation and disposal service would continue under Alternative E. As a result, Alternative E would not have an effect on solid waste.

ELECTRICITY, NATURAL GAS, AND TELECOMMUNICATIONS

Present demand and service patterns for electricity, natural gas and telecommunications would continue as they are under Alternative E. As a result, Alternative E would not affect electricity, natural gas, or telecommunications service or demand.

PUBLIC HEALTH AND SAFETY

Law Enforcement

Law enforcement services would continue to be provided based on existing community size; would be respondent to growth planned by the City and County of Kenosha; and would be outside the scope of Federal action under Alternative E. As a result, Alternative E would not affect law enforcement services.

Fire Protection/Emergency Medical Service

Fire protection and emergency medical services would continue to be provided based on existing community size; would be respondent to growth planned by the City and County of Kenosha; and would be outside the scope of Federal action under Alternative E. As a result, Alternative E would not have a significant effect on fire protection and emergency medical services.